

REMARKS

The application includes claims 35-66 prior to entering this amendment.

Claims 35-38 remain withdrawn. Claims 53-66 were rejected. Claims 39-52 remain to be addressed by the Examiner given the partial withdrawal of the restriction requirement included in the Office Action by way of the interview summary dated May 28, 2008.

The applicants amend claims 39 and 46.

The applicants cancel claims 43, 44, 50, 51 and 53-66.

Applicant requests reconsideration and allowance of the present application.

Currently pending claims 39-52

The Examiner withdrew claims 35-52 upon the mailing of the Office Action dated on April 17, 2008. However, as will be explained in the next section, the interview summary dated May 28, 2008 pulled claims 39-52 back into the application, and accordingly these claims are no longer marked as withdrawn in the claims listing. Claims 35-38 remain withdrawn as indicated by their claim status identifiers.

Applicant initially requested that the Examiners pull claims 39-52 back into the application by mailing a new Office Action indicating that such claims are no longer withdrawn. However, the Examiners preferred to pull claims 39-52 back into the application by way of the interview summary dated May 28, 2008, instead of by mailing a new Office Action. Applicant agreed to the Examiner's recommendation to mail the interview summary instead of a new Office Action.

Response to restriction requirement and interview summary

The final office action made an initial restriction requirement, restricting claims 35-38 into newly presented Group I and claims 39-52 into newly presented Group II. This initial restriction requirement was first presented to Applicant at the same time that prosecution was closed. Accordingly, to provide Applicant an opportunity to traverse the basis of the restriction requirement as described in C.F.R. 1.143, the Examiners provided Applicant a telephone interview for reconsideration of the restriction requirement, as described below.

Telephone Interview Summary

On May 22, 2008 Attorneys Michael Cofield and Michelle Craig met with Examiners Wutchung Chu and Edan Orgad in a telephonic examiner interview to request reconsideration of the restriction requirement, and to discuss novelty and non-obviousness of certain claims.

Based on the telephone interview, the Examiners mailed an interview summary dated May 28, 2008 which withdrew the restriction requirement as to claims 39-53. Thus, on the date of mailing the interview summary these claims 39-53 were “unwithdrawn”, and therefore brought back into the application. Accordingly, in the present amendment the status identifiers for claims 39-53 reflect the fact that these claims were brought back into the application as of the date of mailing the interview summary. The interview summary maintained the restriction of claims 35-38, and accordingly, these claims remain marked as withdrawn.

Additionally, during the interview, the novelty and non-obviousness of claim 44 was discussed. The Examiners tentatively agreed that claim 44 contains allowable subject matter, and suggested that Applicant file the present After Final Amendment to amend claim 39 based on claim 44. Applicant thanks the Examiners for the suggestion, and files the present After Final Amendment according to the Examiner’s suggestion.

Subject matter tentatively agreed upon as allowable

In the examiner interview, the Examiners tentatively agreed that claim 44 contains allowable subject matter. Claim 39 is amended to include the limitations of claims 43 and 44 and should be allowed. Dependent claims 40, 41, 42 and 45 depend from claim 39 and should also be allowed.

Although claim 51 was not specifically addressed during the telephone interview, it is believed that claim 51 is allowable for at least similar reasons that the Examiners indicated that claim 44 was allowable. Accordingly, independent claim 46 has been amended to include the features of dependent claim 51, thus claim 46 should be allowed. Dependent claims 47, 48, 49 and 52 should be allowed for at least similar reasons as claim 46.

Claim Rejections - 35 U.S.C. § 102

The office action rejected claims 53-55, 57-58, 60-61, and 64-66 under 35 U.S.C. §102(b) as being unpatentable over Bertin.

In the interest of expediting prosecution, claims 53-55, 57-58, 60-61, and 64-66 have been cancelled.

Claim Rejections - 35 U.S.C. § 103

The office action rejected claim 56 under 35 U.S.C. § 103(a) as being unpatentable over Bertin in view of El-Rafie.

In the interest of expediting prosecution, claim 56 has been cancelled.

The office action rejected claims 59 and 62-63 under 35 U.S.C. § 103(a) as being unpatentable over Bertin in view of Rochberger.

In the interest of expediting prosecution, claims 59 and 62-63 have been cancelled.

The present application is in a condition for allowance

With claims 35-38 remaining withdraw, and claims 43, 44, 50, 51 and 53-66 being cancelled, the remaining pending claims were those indicated by the Examiners as being tentatively allowable. Accordingly, it is requested that the Examiner mail a notice of allowance in the present application.


Conclusion

For the foregoing reasons, the applicants request that the Examiner mail a notice of allowance. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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